

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application December 18, 2003 Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Transmitted herewith for filing under 37 CFR 1.53(b) are the specification and claims of the nonprovisional patent application of: Masashi HIROKAWA Inventor(s) APPARATUS AND METHOD OF TRANSMITTING PERFORMANCE MEASUREMENTS DATA TO A CONTROL CENTER Title of Invention APPLICATION ELEMENTS ENCLOSED: 1. X Specification, total pages 23 including: 9 pages of claims (1-42) 1 page(s) Abstract 2. X 6 sheets of ___ informal X formal drawings (Figs. 1-7) 3. X Oath or declaration of Applicant(s) (4 total pages) ____ Newly executed (original) b. Unexecuted X Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Item 14 completed) Deletion of Inventor(s) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)5. X Incorporation By Reference The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference herein. Microfiche Computer Program (Appendix) APPLICATION PARTS ENCLOSED: 7.__ _ An assignment (cover sheet & document(s)) 8. 37 CFR 3.73(b) Statement (when there is an assignee) 9. X Power of Attorney

___ Newly executed (original)

X Copy from a prior application

Unexecuted

a.

b.

	10. X Information Disclosure Statement (IDS)/PTO-1449
	Copies of IDS Citations
	11. X A Preliminary Amendment
	12. X Return Receipt Postcard (MPEP 503)
	13 Applicant(s) hereby establish small entity status under 37 C.F.R. §1.9 and §1.27
	14. X If a Continuing Application, check the appropriate box and supply the requisite information
	X Continuation of prior application No.: 09/159,217 filed September 23, 1998.
	Divisional of prior application No.: filed
	Continuation-in-part (CIP) of prior application No.: filed
	continuation, and claims the benefit of priority, of application Serial No. 09/159,217 file September 23, 1998
	16. X Priority of application No. 9-278036 filed in <u>Japan</u> on <u>September 26, 1997</u> . Applicar hereby claims priority under 35 U.S.C. §119.
	A certified copy of priority application Nos will be submitted in du course.
,	X A certified copy of priority application No. <u>9-278036</u> has been filed in priority application S.N. <u>09/159,217</u> filed <u>September 23, 1998.</u>
	17 Other (identify)
	The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

•					Rate			Fee	
	Number Filed		Number Extra*		Small Entity	Other Entity		Small Entity	Other Entity
Total Claims	12-20	=	0	·x	\$9	\$18	=	\$.	\$0
Indep. Claims	12-3	=	9	x	\$43	\$86	=	\$	\$774.00
Multiple Dependent Claims Presented: Yes No_X				\$145	\$290	=	\$	\$0	
If the difference in column 1 is less than zero, enter					Basic Fee			\$385.00	\$770.00
"0" in column 2			Total Fee			\$	\$1544.00		

18. X A check in the amount of \$1544.00 to cover the filing fee.
19 A check in the amount of \$ for recordation of the Assignment.
20. X The Commissioner is hereby authorized to charge any additional fees which may be required
in connection with the following or credit any overpayment to Deposit Account No. 03-3125.
X Filing fees under 37 C.F.R. § 1.16.
X Patent application processing fees under 37 C.F.R. §1.17.
The issue fee set in 37 C.F.R. §1.18 at or before mailing of the Notice of Allowance,
pursuant to 37 C.F.R. §1.311(b).
21. X Three copies of this sheet are enclosed.
22. X Other (identify) Express Mail Certificate of Mailing bearing label no. EV325706720US.

CORRESPONDENCE ADDRESS:

Ivan S. Kavrukov Registration No. 25,161 Cooper & Dunham LLP 1185 Avenue of the Americas New York, New York 10036 United States of Americas

Tel.: (212) 278-0400 Fax: (212) 391-0525

Respectfully submitted,

December 19, 2003
Date

Paul Teng, Reg. No 40,837 Attorney for Applicant Cooper & Dunham LLP 1185 Avenue of the Americas New York, New York 10036

Tel.: (212) 278-0400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Masashi HIROKAWA

Serial No.

[Rule 1.53(b) Contin. of 09/159,217]

Group Art Unit: 2626

Date Filed

Concurrently Herewith

Examiner: Mark E. Wallerson

For

APPARATUS AND METHOD OF TRANSMITTING PERFORMANCE

MEASUREMENTS DATA TO A CONTROL CENTER

Mail Stop Patent Application

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

EXPRESS MAIL CERTIFICATE OF MAILING

Express Mail mailing	; label No.: _	EV325706720U	<u>S</u>	
Date of Deposit:	December	19, 2003		,
-				

I hereby certify that the above-identified application (which is a Rule 1.53(b) continuation of S.N. 09/159,217 filed September 23, 1998), consisting of a 3-page continuation application transmittal (in triplicate), copy of parent application S.N. 09/159,217 [including 23-page specification and 6 sheets of formal drawings (Figs. 1-7)], copy of the Declaration and Power of Attorney in the parent application S.N. 09/159,217, Preliminary Amendment, Information Disclosure Statement (including Form PTO-1449), a check for the \$1,544.00.00 filing fee and a return stamped postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Mail Room Employee

Depositing Express Mail Material

Attorneys for Applicant: IVAN S. KAVRUKOV, Reg. No. 25,161 PAUL TENG, Reg. No. 40,837 Cooper & Dunham LLP 1185 Avenue of the Americas New York, NY 10036

Tel: 212-278-0400